

What is claimed is:

SUB A

1. A method for promoting a sale of a substitute product, comprising:  
receiving transaction data regarding an original product presented for purchase by a  
consumer at a point of sale terminal;  
transmitting said transaction data to a server during a transaction session;  
receiving information regarding a substitute product from said server; and  
offering said substitute product to said consumer before the transaction session  
terminates.

2. The method of claim 1 further comprising consummating a sale of said substitute product  
upon acceptance of said offering.

3. The method of claim 2 wherein said consummating a sale comprises removing  
transaction data regarding said original product from pending sale data and substituting  
transaction data regarding said substitute product in said pending sale data.

4. The method of claim 3 wherein said transaction data includes at least one of: product  
price, product identifier and product UPC code.

5. The method of claim 2 further comprising transmitting an identifier regarding said  
substitute product to said server.

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- 1 6. The method of claim 2 further comprising transmitting an identifier regarding said  
2 substitute product to a manufacturer of said substitute product.
- 1 7. The method of claim 1 wherein said transaction data comprises an original product  
2 identifier and a price.
- 1 8. The method of claim 1 comprising consummating a sale of said original product upon a  
2 consumer's rejection of said offering.
- 1 9. The method of claim 8 wherein said consummating a sale of said substitute product  
2 comprises adding transaction data regarding said original product to pending sale data  
3 after said consumer's rejection of said offering.
- 1 10. The method of claim 1 wherein said original and substitute products have different  
2 manufacturers.

1 11. The method of claim 1 wherein one manufacturer manufactures both said original  
2 product and said substitute product.

1 12. The method of claim 1 wherein said offering comprises transmitting information  
2 regarding said substitute product to said consumer via at least one of: a printer, a display  
3 terminal and a speaker.

1 13. The method of claim 1 further comprising transmitting to said server inventory  
2 information of a potential substitute of said original product.

1 14. The method of claim 1 comprising consummating a sale of said original product if a  
2 retailer's transaction volume exceeds a predetermined threshold during a predetermined  
3 amount of time.

1 15. The method of claim 14 wherein consummating a sale of said original product occurs  
2 prior to said offering.

1 16. The method of claim 1 further comprising transmitting additional information to said  
2 server for determination of said possible substitute product, said additional information

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comprising at least one of: product profit margin information, product inventory information, product expiration date information, retail product price information, product floor price information, product sales information, sale and promotional pricing information, product demand information, product forecast information, product class information, product pricing information, and information regarding product features.

SUB A2  
17. A method for promoting a sale of a substitute product, comprising:

receiving transaction data regarding an original product presented for purchase by a consumer at a point of sale terminal;

transmitting said transaction data to a server during a transaction session for determination of a possible substitute product to be offered to said consumer;

upon receipt of information regarding a substitute product from said server, offering said substitute product to said consumer before the transaction session terminates;

consummating a sale of said original product if at least one of (a) no information regarding said substitute product is received from said server, and (b) said consumer declines said offering; and

consummating a sale of said substitute product upon acceptance by said consumer of said offering.

18. The method of claim 17 wherein said consummating a sale comprises removing transaction data regarding said original product from pending sale data and substituting transaction data regarding said substitute product in said pending sale data.

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1 19. The method of claim 18 wherein said transaction data includes at least one of: product  
2 price, product identifier and product UPC code.

1 20. The method of claim 17 wherein said consummating a sale of said substitute product  
2 comprises adding transaction data regarding said original product to pending sale data  
3 after said consumer's rejection of said offering.

1 21. The method of claim 17 wherein said original and substitute products have different  
2 manufacturers.

1 22. The method of claim 17 wherein one manufacturer manufactures both said original  
2 product and said substitute product.

1 23. The method of claim 17 wherein said offering comprises transmitting information  
2 regarding said substitute product to said consumer via at least one of: a printer, a display  
3 terminal and a speaker.

1 24. The method of claim 17 further comprising transmitting to said server inventory  
2 information of a potential substitute of said original product.

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1 25. The method of claim 17 further comprising transmitting additional information to said  
2 server for determination of said possible substitute product, said additional information  
3 comprising at least one of: product profit margin information, product inventory  
4 information, product expiration date information, retail product price information,  
5 product floor price information, product sales information, sale and promotional pricing  
6 information, product demand information, product forecast information, product class  
7 information, product pricing information, and information regarding product features.

1 26. The method of claim 17 further comprising transmitting information regarding a sale of  
2 said substitute product to said server.

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SUB A3  
1 27. A method for promoting a sale of a substitute product, comprising:  
2 receiving transaction data regarding an original product presented for purchase by a  
3 consumer at a point of sale terminal during a transaction session;  
4 determining a substitute product to be offered to said consumer; and  
5 offering said substitute product to said consumer before the transaction session  
6 terminates.

1 28. The method of claim 27 wherein determining comprises determining said substitute  
2 product based on at least one of the following factors: product profit margin, product inventory  
3 information, product expiration date, retail product price information, product floor price  
4 information, product sales information, sale and promotional pricing information, product  
5 demand, product forecasts, product class, product pricing, and product features.

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2 29. The method of claim 27 further comprising consummating a sale of said substitute  
3 product upon acceptance of said offering.

1 30. The method of claim 28 wherein said consummating a sale comprises removing  
2 transaction data regarding said original product from pending sale data and substituting  
3 transaction data regarding said substitute product in said pending sale data.

1 31. The method of claim 30 wherein said transaction data includes at least one of: product  
2 price, product identifier and product UPC code.

1 32. The method of claim 29 further comprising transmitting an identifier regarding said  
2 substitute product to a server.

1 33. The method of claim 29 further comprising transmitting an identifier regarding said  
2 substitute product to a manufacturer of said substitute product.

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1 34. The method of claim 29 further comprising printing a bar code confirming the sale of  
2 said substitute product.

1 35. The method of claim 27 comprising consummating a sale of said original product upon a  
2 consumer's rejection of said offering.

1 36. The method of claim 35 wherein said consummating a sale of said substitute product  
2 comprises adding transaction data regarding said original product to pending sale data  
3 after said consumer's rejection of said offering.

1 37. The method of claim 27 wherein said original and substitute products have different  
2 manufacturers.

1 38. The method of claim 27 wherein one manufacturer manufactures both said original  
2 product and said substitute product.

1 39. The method of claim 27 wherein said offering comprises transmitting information  
2 regarding said substitute product to said consumer via at least one of: a printer, a display  
3 terminal and a speaker.



43 A4  
1 40. The method of claim 27 further comprising transmitting to said server inventory  
2 information of a potential substitute of said original product.

1 41. The method of claim 27 comprising consummating a sale of said original product if a  
2 retailer's transaction volume exceeds a predetermined threshold during a predetermined  
3 amount of time.

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SUB AS  
1 42. A method of promoting a sale of a substitute product to a consumer, comprising:  
2 receiving, from a point of sale terminal, transaction data regarding an original product  
3 presented for purchase by a consumer during a transaction session;  
4 determining a substitute product to be offered to said consumer; and  
5 transmitting information regarding said substitute product to said point of sale terminal  
6 for transmission to said consumer, before the transaction session terminates.

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2 43. The method of claim 42 wherein said determining comprises determining said substitute  
3 product based at least one of the following factors: product profit margin, product inventory  
4 information, product expiration date, retail product price information, product floor price  
5 information, product sales information, sale and promotional pricing information, product  
6 demand, product forecasts, product class, product pricing, and product features.

7 44. The method of claim 42 wherein said determining comprises identifying at least one  
8 manufacturer to receive said transaction data.

1 45. The method of claim 42 wherein said determining comprises transmitting said transaction  
2 data to a plurality of manufacturers.

1 46. The method of claim 45 further comprising receiving substitute product offers from said  
2 plurality of manufacturers.

1 47. The method of claim 46 further comprising selecting one of said substitute product offers,  
2 and transmitting said one substitute product offer to said point of sale terminal.

1 48. The method of claim 42 further comprising determining a second substitute product to be  
2 offered to said consumer, and transmitting information regarding said second substitute  
3 product to said point of sale terminal.

1 49. The method of claim 42 wherein said determining comprises storing a database of  
2 substitute product information, and selecting said substitute product from said database.

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1 50. The method of claim 49 wherein said developing comprises periodically receiving data  
2 regarding substitute product information from a manufacturer.

1 51. The method of claim 50 wherein said developing comprises periodically receiving data  
2 regarding substitute product information from a plurality of manufacturers.

1 52. The method of claim 42 further comprising receiving inventory information regarding a  
2 retailer's inventory; and determining said substitute product based on said inventory  
3 information.

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SUB A4  
1 53. A method of promoting a sale of a substitute product to a consumer, comprising:  
2 receiving, from a point of sale terminal, transaction data regarding an original product  
3 presented for purchase by a consumer during a transaction session;  
4 determining whether a substitute product is to be offered to said consumer;  
5 if a substitute product is to be offered to said consumer, transmitting information  
6 regarding said substitute product to said point of sale terminal for transmission to said consumer,  
7 before the transaction session terminates.

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2 54. The method of claim 53 comprising providing an instruction signal that directs said point  
3 of sale terminal to consummate said purchase of said original product, if no substitute product is  
4 to be offered to said consumer.

SUB A7

1 55. A method of promoting a sale of a substitute product to a consumer, comprising:  
2 receiving, from a server, transaction data regarding an original product presented for  
3 purchase by a consumer during a transaction session;  
4 determining a substitute product to be offered to said consumer; and  
5 transmitting information regarding said substitute product to said server for transmission  
6 to said consumer, before the transaction session terminates.

1 56. The method of claim 55 further comprising subscribing with a service of said retailer to  
2 receive said transaction data.

1 57. The method of claim 55 further comprising receiving inventory information regarding a  
2 retailer's inventory; and determining said substitute product based on said inventory  
3 information.

1 58. The method of claim 55 wherein said determining comprises determining said substitute  
2 product based on factors selected from the group consisting of: product profit margin, product  
3 inventory information, product expiration date, retail product price information, product floor  
4 price information, product sales information, sale and promotional pricing information, demand  
5 rates, product forecasts, product class, product pricing, and product features.

1 59. The method of claim 55 wherein said server is a retailer's server.

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SUB A8

1 60. An apparatus for promoting a sale of a substitute product, comprising:  
2 a storage device; and  
3 a processor disposed in communication with the storage device;  
4 the storage device storing a program for controlling the processor; and  
5 the processor configured to  
6 receive transaction data regarding an original product presented for purchase by a  
7 consumer at a point of sale terminal;  
8 transmit said transaction data to a server during a transaction session;  
9 receive information regarding a substitute product from said server; and  
10 transmit an offer of said substitute product to said consumer before the transaction  
11 session terminates.

1 61. The apparatus of claim 60 wherein said processor is further configured to consummate a  
2 sale of said substitute product upon acceptance of said offer.

1 62. The apparatus of claim 61 wherein said processor is further configured to remove  
2 transaction data regarding said original product from pending sale data and substituting  
3 transaction data regarding said substitute product in said pending sale data.

1 63. The apparatus of claim 60 wherein said processor is further configured to transmit a  
2 signal to said server confirming a sale of said substitute product.

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1 64. The apparatus of claim 60 wherein said processor is further configured to consummate a  
2 sale of said substitute product, including adding transaction data regarding said original  
3 product to pending sale data after a consumer's rejection of said offer.

1 65. The apparatus of claim 60 wherein said processor is configured to transmit information  
2 regarding said offer of said substitute product to said consumer via at least one of: a  
3 printer, a display terminal and a speaker.

1 66. The apparatus of claim 60 wherein said processor is further configured to transmit to said  
2 server inventory information of a potential substitute of said original product.

1 67. The apparatus of claim 60 wherein said processor is further configured to transmit  
2 additional information to said server for determination of said possible substitute product,  
3 said additional information comprising at least one of: product profit margin information,  
4 product inventory information, product expiration date information, retail product price  
5 information, product floor price information, product sales information, sale and  
6 promotional pricing information, product demand information, product forecast  
7 information, product class information, product pricing information, and information  
8 regarding product features.

1 68. An apparatus for promoting a sale of a substitute product, comprising:  
2 a storage device; and  
3 a processor disposed in communication with the storage device;

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SUB A9

4 the storage device storing a program for controlling the processor; and  
5 the processor configured to  
6 receive transaction data regarding an original product presented for purchase by a  
7 consumer at a point of sale terminal during a transaction session;  
8 determine a substitute product to be offered to said consumer; and  
9 transmit an offer of said substitute product to said consumer before the transaction  
10 session terminates.

1 69. The apparatus of claim 68 wherein said processor is further configured to determine said  
2 substitute product based on at least one of the following factors : product profit margin, product  
3 inventory information, product expiration date, retail product price information, product floor  
4 price information, product sales information, sale and promotional pricing information, product  
5 demand, product forecasts, product class, product pricing, and product features.

1 70. The apparatus of claim 68 wherein said processor is further configured to consummate a  
2 sale of said substitute product by removing transaction data regarding said original  
3 product from pending sale data and substituting transaction data regarding said substitute  
4 product in said pending sale data.

1 71. The apparatus of claim 68 wherein said processor is further configured to consummate a  
2 sale of said original product upon a consumer's rejection of said offer.

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1 72. The apparatus of claim 68 wherein said processor is further configured to consummate  
2 said sale of said substitute product by adding transaction data regarding said original  
3 product to pending sale data after said consumer's rejection of said offer.

1 73. The apparatus of claim 68 wherein said processor is further configured to transmit  
2 information regarding said offer of said substitute product to said consumer via at least  
3 one of: a printer, a display terminal and a speaker.

1 74. The apparatus of claim 68 wherein said processor is further configured to consummate a  
2 sale of said original product if a retailer's transaction volume exceeds a predetermined  
3 threshold during a predetermined amount of time.

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1 75. An apparatus for promoting a sale of a substitute product, comprising:  
2 a storage device; and  
3 a processor disposed in communication with the storage device;  
4 the storage device storing a program for controlling the processor; and  
5 the processor configured to  
6 receive, from a point of sale terminal, transaction data regarding an original  
7 product presented for purchase by a consumer during a transaction session;  
8 determine a substitute product to be offered to said consumer; and  
9 transmit information regarding an offer of said substitute product to said point of  
10 sale terminal for transmission to said consumer, before the transaction session terminates.



1 76. The apparatus of claim 75 wherein said processor is further configured to determine said  
2 substitute product based at least one of the following factors: product profit margin, product  
3 inventory information, product expiration date, retail product price information, product floor  
4 price information, product sales information, sale and promotional pricing information, product  
5 demand, product forecasts, product class, product pricing, and product features.

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1 77. An apparatus for promoting a sale of a substitute product, comprising:  
2 a storage device; and  
3 a processor disposed in communication with the storage device;  
4 the storage device storing a program for controlling the processor; and  
5 the processor configured to  
6 receive, from a server, transaction data regarding an original product presented for  
7 purchase by a consumer during a transaction session;  
8 determine a substitute product to be offered to said consumer; and  
9 transmit information regarding an offer of said substitute product to said server  
10 for transmission to said consumer, before the transaction session terminated.

1 78. The apparatus of claim 77 wherein said processor is configured to determine said  
2 substitute product based on factors selected from the group consisting of: product profit  
3 margin, product inventory information, product expiration date, retail product price  
4 information, product floor price information, product sales information, sale and  
5 promotional pricing information, demand rates, product forecasts, product class, product  
6 pricing, and product features.

543 A12  
1 79. An apparatus for promoting a sale of a substitute product, comprising:

means for receiving transaction data regarding an original product presented for purchase by a consumer at a point of sale terminal;

means for transmitting said transaction data to a server during a transaction session;

means for receiving information regarding a substitute product from said server; and

means for transmitting an offer of said substitute product to said consumer before the transaction session terminates.

80. An apparatus for promoting a sale of a substitute product, comprising:

means for receiving transaction data regarding an original product presented for purchase by a consumer at a point of sale terminal;

means for transmitting said transaction data to a server during a transaction session for determination of a possible substitute product to be offered to said consumer;

means for transmitting an offer of said substitute product to said consumer before the transaction session terminates;

means for consummating a sale of said original product if at least one of (a) no information regarding said substitute product is received from said server, and (b) said consumer declines said offering; and

means for consummating a sale of said substitute product upon acceptance by said consumer of said offering.

81. An apparatus for promoting a sale of a substitute product, comprising:

means for receiving transaction data regarding an original product presented for purchase by a consumer at a point of sale terminal during a transaction session;

means for determining a substitute product to be offered to said consumer ; and

means for transmitting an offer of said substitute product to said consumer before the transaction session terminates.

1 82. An apparatus for promoting a sale of a substitute product to a consumer, comprising:  
2 means for receiving, from a point of sale terminal, transaction data regarding an original  
3 product presented for purchase by a consumer during a transaction session;  
4 means for determining a substitute product to be offered to said consumer; and  
5 means for transmitting information regarding an offer of said substitute product to said  
6 point of sale terminal prior to completion of said transaction session.

1 83. A method of promoting a sale of a substitute product to a consumer, comprising:  
2 means for receiving, from a server, transaction data regarding an original product  
3 presented for purchase by a consumer during a transaction session;  
4 means for determining a substitute product to be offered to said consumer; and  
5 means for transmitting information regarding an offer of said substitute product to said  
6 server for transmission to said consumer.

1 84. <sup>no 101</sup> Computer executable software code stored on a computer readable medium, the code  
2 comprising:  
3 code for receiving transaction data regarding an original product presented for purchase  
4 by a consumer at a point of sale terminal;  
5 code for transmitting said transaction data to a server during a transaction session;  
6 code for receiving information regarding a substitute product from said server; and  
7 code for transmitting an offer of said substitute product to said consumer before the  
8 transaction session terminates.

1 85. [A computer readable medium having computer executable software code] stored thereon,  
2 the code comprising:

3 code for receiving transaction data regarding an original product presented for purchase  
4 by a consumer at a point of sale terminal;  
5 code for transmitting said transaction data to a server during a transaction session;  
6 code for receiving information regarding a substitute product from said server; and  
7 code for transmitting an offer of said substitute product to said consumer before the  
8 transaction session terminates.

1 86. Computer executable software code stored on a computer readable medium, the code  
2 comprising:

3 code for receiving transaction data regarding an original product presented for purchase  
4 by a consumer at a point of sale terminal;  
5 code for transmitting said transaction data to a server during a transaction session for  
6 determination of a possible substitute product to be offered to said consumer;  
7 code for transmitting an offer of said substitute product to said consumer before the  
8 transaction session terminates;  
9 code for consummating a sale of said original product if at least one of (a) no information  
10 regarding said substitute product is received from said server, and (b) said consumer declines  
11 said offering; and  
12 code for consummating a sale of said substitute product upon acceptance by said  
13 consumer of said offering.

1 87. A computer readable medium having computer executable software code stored thereon,  
2 the code comprising:

3 code for receiving transaction data regarding an original product presented for purchase  
4 by a consumer at a point of sale terminal;  
5 code for transmitting said transaction data to a server during a transaction session for  
6 determination of a possible substitute product to be offered to said consumer;

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code for offering said substitute product to said consumer before the transaction session terminates;

code for consummating a sale of said original product if at least one of (a) no information regarding said substitute product is received from said server, and (b) said consumer declines said offering; and

code for consummating a sale of said substitute product upon acceptance by said consumer of said offering.

88. (Computer executable software code stored on a computer readable medium, the code comprising:

code for receiving, from a point of sale terminal, transaction data regarding an original product presented for purchase by a consumer during a transaction session;

code for determining a substitute product to be offered to said consumer; and

code for transmitting information regarding an offer of said substitute product to said point of sale terminal for transmission to said consumer, before the transaction session terminates.

89. (A computer readable medium having computer executable software code stored thereon, the code comprising:

code for receiving, from a point of sale terminal, transaction data regarding an original product presented for purchase by a consumer during a transaction session;

code for determining a substitute product to be offered to said consumer; and

code for transmitting information regarding an offer of said substitute product to said point of sale terminal for transmission to said consumer, before the transaction session terminates.

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1 90. Computer executable software code stored on a computer readable medium, the code  
2 comprising:

3 code for receiving, from a server, transaction data regarding an original product presented  
4 for purchase by a consumer during a transaction session;  
5 code for determining a substitute product to be offered to said consumer; and  
6 code for transmitting information regarding an offer of said substitute product to said  
7 server for transmission to said consumer, before the transaction session terminates.

1 91. A computer readable medium having computer executable software code stored thereon,  
2 the code comprising:

3 code for receiving, from a server, transaction data regarding an original product presented  
4 for purchase by a consumer during a transaction session;  
5 code for determining a substitute product to be offered to said consumer; and code  
6 for transmitting information regarding an offer of said substitute product to said server for  
7 transmission to said consumer, before the transaction session terminates.